

S&H Form: (2/01)  
Application No.: 10/766,039

Attorney Docket No. 1538.1045

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Hiroyuki HATTA, et al.

Application No.: 10/766,039

Group Art Unit: 2163

Confirmation No.: 2575

Filed: January 29, 2004

Examiner: Wilson LEE

For: SEARCH PROCESSING METHOD AND APPARATUS

**REQUEST FOR REFUND TO DEPOSIT ACCOUNT**

**Mailstop 16**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached hereto is a copy of a Monthly Statement of Deposit Account (dated October 21, 2008) showing a charge(s) of 260.00 related to the above-referenced application. The charge(s) is/are marked with Fee Code 1202 and 1201, respectively, which relate to the Patent Office Fees for filing an extra independent claim fee and an extra claim fee. However, no such extra independent claim fee and extra claim fee was due, because the Form PTO-875 indicates payment for only 20 total claims and 4 independent claims, however, payment for a total of 22 total claims and 6 independents claims have been made by the filing of March 27, 2008 to the deposit account.

Therefore, the charges were not due and were charged in excess of the required claim fees.

Accordingly, it is respectfully requested that this charge be credited to Deposit Account No. 19-3935 and that the Patent Office acknowledge this credit in writing to the undersigned.

Respectfully submitted,  
STAAS & HALSEY LLP

/Mehdi D. Sheikerz/

Date: December 22, 2008

By: \_\_\_\_\_  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450  
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## MONTHLY STATEMENT OF DEPOSIT ACCOUNT

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STAAS & HASLEY  
1201 NEW YORK AVENUE NW  
SUITE 700  
WASHINGTON DC 20005

FINA

Account No.
193935
Date
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Page
12

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEES CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
10	21	08	72		2080.1057	1251	130.00	23859.14
10	21	08	73		2080.1057	1801	810.00	23049.14
10	21	08	235		0221.1221	1011	330.00	22719.14
10	21	08	236		0221.1221	1111	540.00	22179.14
10	21	08	237		0221.1221	1311	220.00	21959.14
10	21	08	589		0221.1220	1011	330.00	21629.14
10	21	08	590		0221.1220	1111	540.00	21089.14
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10	21	08	765		1787.1006	1806	180.00	20689.14
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10	21	08	4225		1252.1071CIP3	1251	130.00	18899.14
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10	21	08	44		1713.1035	1801	810.00	17829.14
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10	21	08	46		1506.1044	1801	810.00	16889.14
10	21	08	47		1506.1044	1251	130.00	16759.14
10	21	08	74		1454.1997	8021	40.00	16719.14
10	21	08	9728		1454.1840	8021	40.00	16679.14
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10	21	08	10888		1911.1132	2202	156.00	15621.14
10	21	08	10889		1911.1132	2201	110.00	15511.14
10	21	08	13749		2110.2004	7001	325.00	15186.14
10	21	08	14	PCT/US08/11990	1918.1031PCT	1703	-720.00	15906.14
10	21	08	13894		0221.1200	1011	330.00	15576.14
10	21	08	13895		0221.1200	1111	540.00	15036.14

AN AMOUNT SUFFICIENT TO  
COVER ALL SERVICES REQUESTED  
MUST ALWAYS BE ON DEPOSIT

OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
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\*\*\* O.D. INDICATES OVERDRAWN

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875		Application or Docket Number 10/766,039	Filing Date 01/29/2004	<input type="checkbox"/> To be Mailed
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**APPLICATION AS FILED – PART I**

		(Column 1)	(Column 2)	SMALL ENTITY <input type="checkbox"/>		OTHER THAN SMALL ENTITY	
FOR		NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEES (\$)	RATE (\$)	FEES (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A	N/A		N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))		N/A	N/A	N/A		N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(l))		minus 20 =	*	X \$ =		X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*	X \$ =		X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.							
				TOTAL		TOTAL	

**APPLICATION AS AMENDED – PART II**

		(Column 1)	(Column 2)	(Column 3)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT	09/29/2008	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(l))	21	Minus	20	= 1	X \$ =		X \$50=
Independent (37 CFR 1.16(h))	5	Minus	4	= 1	X \$ =		X \$210=	210
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))								
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	260	

		(Column 1)	(Column 2)	(Column 3)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(l))	*	Minus	**	=	X \$ =		X \$ =
Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		X \$ =	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))								
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
				TOTAL ADD'L FEE		TOTAL ADD'L FEE		

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:  
/SHARAIN MORELAND/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<b>AMENDMENT FEE TRANSMITTAL</b>		Attorney Docket No.	1538.1045
		Application Number	10/766,039
		Filing Date	January 29, 2004
		First Named Inventor	Hiroyuki HATTA, et al.
		Group Art Unit	2163
AMOUNT ENCLOSED	Examiner Name	Wilson LEE	

**FEES CALCULATION (fees effective 09/30/07)**

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	20	22	0	X \$ 50.00 =	\$ 0.00
INDEPENDENT CLAIMS	4	6	0	X \$ 210.00 =	0.00

Since an Official Action set an original due date of September 27, 2008, no extension of time fees are due:

If Notice of Appeal is enclosed, add (\$510.00)

If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$130.00)

Information Disclosure Statement (Rule 1.17(p)) (\$180.00)

Total of above Calculations = \$ 0.00

Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)

**TOTAL FEES DUE = \$ 0.00**

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

**METHOD OF PAYMENT**

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 Charge "TOTAL FEES DUE" to the Deposit Account No. below.  
 No payment is enclosed.

**GENERAL AUTHORIZATION**

If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No. 19-3935

Deposit Account Name STAAS & HALSEY LLP

The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

**SUBMITTED BY: STAAS & HALSEY LLP**

Typed Name	Mehdi D. Sheikerz	Reg. No.	41,307
Signature	/Mehdi D. Sheikerz/	Date	September 29, 2008